

Message Text

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ORIGIN EB-11

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FM SECSTATE WASHDC

TO AMEMBASSY PRAGUE

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E.O. 11652: N/A

TAGS: ETRN, CZ

SUBJ: CIVAIR NEGOTIATIONS

REF: PRAGUE 517

1. DEPARTMENT WOULD HAVE GREAT DIFFICULTY IN SCHEDULING CIVAIR NEGOTIATIONS IN PRAGUE BEFORE END OF MAY. IN ADDITION, WE WOULD PREFER TO AVOID ACROSS-TABLE BARGAINING SESSIONS BECAUSE OUR PREFERENCE WOULD BE SIMPLY TO EXTEND EXISTING ARRANGEMENT FOR ANOTHER YEAR IN ORDER GIVE MORE TIME ASSESS PRACTICAL EFFECT OF RESTRICTIONS PLACED ON CSA IN 1972 DEAL. COMPLICATING FACTOR, HOWEVER, IS THAT, EFFECTIVE MAY 22, PAN AM WISHES SERVE PRAGUE VIA COPENHAGEN, WHICH IT CANNOT DO UNDER US ROUTE DESCRIPTION IN BASIC 1969 AGREEMENT.

2. WHILE DEPARTMENT RECOGNIZES TACTIC MIGHT NOT WORK,
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WE SUGGEST EMBASSY RESPOND TO MFA APPROACH (PERHAPS BY AIDE

MEMOIRE) ALONG FOLLOWING LINES:

A. US AUTHORITIES HAVE ALSO NOTED THAT EXISTING AVIATION ARRANGEMENTS EXPIRE ON MAY 31, 1974, AND THAT, UNLESS THESE ARRANGEMENTS ARE EXTENDED, THERE WILL BE NO AGREED BASIS FOR THE CONTINUATION OF AIR SERVICES BY THE AIRLINES OF EITHER COUNTRY AFTER THAT DATE.

B. AS CZECHOSLOVAK AUTHORITIES ARE AWARE, THE US BELIEVES

THAT MUTUALLY ACCEPTABLE CONDITIONS FOR THE IMPLEMENTATION OF ARTICLE X OF THE AIR TRANSPORT AGREEMENT ARE A NECESSARY CONDITION FOR EXTENSIONS OF THAT AGREEMENT WHICH WOULD OTHERWISE HAVE EXPIRED IN 1972. AN EXTENSION, UNDER CERTAIN CONDITIONS, WAS NEVERTHELESS NEGOTIATED IN 1972. UPON REVIEW OF THE SITUATION, THE US AUTHORITIES FIND THAT ARTICLE X HAS STILL NOT BEEN FULLY IMPLEMENTED BY CZECHOSLOVAKIA AND IT APPEARS THAT SUCH IMPLEMENTATION CONTINUES NOT TO BE POSSIBLE. IF THIS ASSUMPTION IS CONFIRMED BY CZECHOSLOVAKIA, A FURTHER EXTENSION OF THE 1969 AGREEMENT POSES DIFFICULTIES FOR THE US.

C. NEVERTHELESS, RECOGNIZING THAT THE PROTOCOL CONCLUDED IN 1972 HAS BEEN IN OPERATION FOR ONLY TWO YEARS AND THAT IT MAY BE IN THE MUTUAL INTEREST OF BOTH COUNTRIES TO CONTINUE AIR SERVICES BETWEEN THEM, THE US IS PREPARED TO AGREE TO A FURTHER EXTENSION OF THE 1969 AGREEMENT FOR ONE YEAR. THE US IS ALSO PREPARED TO CONTINUE IN EFFECT THE CONDITIONS SET FORTH IN THE PROTOCOL OF MAY 24, 1972, ON THE ASSUMPTION THAT CZECHOSLOVAKIA IS UNABLE AT THIS TIME FULLY TO IMPLEMENT ARTICLE X OF THE 1969 AGREEMENT, PROVIDED, HOWEVER, THAT EFFECTIVE MAY 22, 1974, CZECHOSLOVAKIA ALLOWS THE US DESIGNATED AIRLINE TO OPERATE ITS SERVICES TO PRAGUE VIA COPENHAGEN IN ADDITION TO OTHER INTERMEDIATE POINTS DESCRIBED IN PARAGRAPH A OF THE SCHEDULE ATTACHED TO THE 1969 AGREEMENT.

D. IF CZECHOSLOVAKIA IS PREPARED TO ACCEPT THIS PROPOSAL, AN EXCHANGE OF NOTES COULD BE CONCLUDED TO EFFECT THE NECESSARY AGREEMENT. THIS COULD BE DONE WITHOUT THE LIMITED OFFICIAL USE

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NEED OF FORMAL NEGOTIATIONS BETWEEN DELEGATIONS. IF SUCH NEGOTIATIONS WERE NEVERTHELESS FELT TO BE NECESSARY BY CZECHOSLOVAKIA, THE US AUTHORITIES WOULD WISH THEM TO BE HELD IN WASHINGTON SINCE IT WOULD BE DIFFICULT FOR US AVIATION NEGOTIATORS TO SCHEDULE A MEETING IN PRAGUE BEFORE JUNE DUE TO OTHER COMMITMENTS.

3. IN SUPPORT OF FOREGOING, EMBASSY MAY ORALLY STATE

FOLLOWING AS APPROPRIATE:

A. US NOT SATISFIED WITH CZECH PERFORMANCE UNDER 1972
PROTOCOL. IN FACT, IT SEES THAT NOTHING MATERIAL HAS
CHANGED.

B. US WILL NOT AGREE TO DROP REQUIREMENT THAT PAN AM BE
CSA'S GENERAL SALES AGENT IN US AND THERE ARE NO CZECH
CONCESSIONS WHICH WILL BRING THIS ABOUT IN VIEW POINT
A ABOVE.

C. US WILL NOT AGREE INCREASE CSA'S FREQUENCIES ABOVE 2
PER WEEK.

D. -IN VIEW WEAK SITUATION US AIRLINE INDUSTRY, ATMOSPHERE
IS NOT GOOD FOR FORTHCOMING US AVIATION GESTURES AT THIS
TIME.

4. FYI: DEPARTMENT PREPARED, IF NECESSARY TO REACH
AGREEMENT, TO CONSIDER SPECIFYING SOME LIMITATION ON
PAN AM'S SERVICES VIA COPENHAGEN DURING ONE YEAR EXTEN-
SION PERIOD. ON OTHER HAND, IF IT APPEARS CZECHS WILL
REFUSE TO CONSIDER ADDITION OF COPENHAGEN WITHOUT SOME
EXPANSION OF CSA'S ROUTE, COMMERCIAL OR FREQUENCY RIGHTS,
WE WILL HAVE TO CONSIDER ALLOWING THE AGREEMENT TO LAPSE,
SINCE PAA STATES - SINCERELY, WE BELIEVE - THAT IF IT
DOES NOT OBTAIN COPENHAGEN RIGHTS IT WOULD WISH SUSPEND
SERVICE TO PRAGUE, WHICH CONTINUES TO BE OF MARGINAL
INTEREST TO AIRLINE. (PAA'S BOEING 707 MOSCOW AND
WARSAW SERVICES WILL BE ROUTED THRU COPENHAGEN AND IT
WOULD BE OPERATIONALLY INEFFICIENT TO ROUTE ITS PRAGUE
SERVICE DIFFERENTLY.) IN VIEW ADMINISTRATION'S ACTIVE
CONCERNS OVER FINANCIALLY TROUBLED US AIRLINES, SUCH AS
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PAN AM, DEPT NOT INCLINED TO EXTEND AGREEMENT FOR OTHER
THAN SOUND AVIATION REASONS. END FYI.

5. EMBASSY REQUESTED TO REPORT CZECH REACTION TO
ABOVE APPROACH AND PARTICULARLY WHATEVER REACTION IT
CAN ELICIT TO QUESTION OF US ADDING COPENHAGEN AS
AN INTERMEDIATE POINT ON ITS ROUTE. KISSINGER

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